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2
3 Honorable Thomas S. Zilly
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

9 NATIONAL UNION FIRE INSURANCE
10 COMPANY OF PITTSBURGH, PA., a
Pennsylvania insurance company,

11 Plaintiff,

12 v.

13 SEATTLE SCHOOL DISTRICT NO. 1, a
Washington municipal corporation,

14 Defendant.

15 No. 2:16-CV-01534-TSZ

16 STIPULATION AND ORDER OF
17 DISMISSAL OF COUNTERCLAIMS
18 WITH PREJUDICE

19 **STIPULATION FOR DISMISSAL**

20 COME NOW the parties, by and through their undersigned counsel and hereby notify
the Court that in light of this Court's order of May 18, 2018, and Minute Entry entered on May
21, 2018, Seattle School District No. 1 ("SSD") has decided to not pursue its counterclaims for
extra-contractual claims for bad faith, violation of the Washington Unfair Claims Settlement
22 Practices Act (WAC 284-30, *et seq.*), violation of the Consumer Protection Act (RCW 19.86, *et*
seq.), and violation of the Insurance Fair Conduct Act (RCW 48.30.015). Accordingly, the
23 parties now request that this Court enter the parties' Order of Dismissal with Prejudice as to the
24 Counterclaims.

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26 STIPULATION AND ORDER OF DISMISSAL OF
COUNTERCLAIMS WITH PREJUDICE- 1

PATTERSON BUCHANAN
FOBES & LEITCH, INC., P.S.

1 IT IS HEREBY STIPULATED AND AGREED by the parties that SSD's
2 counterclaims are dismissed in their entirety, with prejudice, pursuant to Rule 41(a)(2) of the
3 Federal Rules of Civil Procedure.

4 IT IS FURTHER STIPULATED AND AGREED that each party is to bear his, her, or
5 its own costs and attorneys' fees.

6 DATED this 27th day of June, 2018.
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8 PATERSON BUCHANAN
9 FOBES & LEITCH, INC., P.S.

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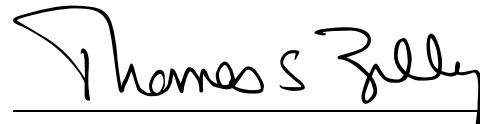
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2 **ORDER OF DISMISSAL WITH PREJUDICE**
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- 5 The Court, having reviewed the parties' Stipulation for Dismissal, hereby ORDERS:
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7 1. That SSD's counterclaims are DISMISSED with prejudice; and
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9 2. The parties shall bear their own fees and costs associated with the counterclaims.

10 SO ORDERED this 28th day of June, 2018.
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Thomas S. Zilly
United States District Judge